

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 03-20833-CIV-GOLD

OMAR RODRIGUEZ SALUDES and  
OLIVIA SALUDES,

Plaintiffs,

v.

REPÚBLICA DE CUBA, a sovereign nation, FIDEL  
CASTRO RUZ, individually and as President of the  
Council of State and Council of Ministers, RAUL  
CASTRO RUZ, individually and as Minister of the  
Revolutionary Armed Forces,  
ABELARDO COLOME MARRA, individually and  
as Minister of the Interior, ROBERTO T. DIAZ  
SOTOLONGO, individually and as Minister of  
Justice, FELIPE RAMON PEREZ ROQUE,  
individually and as Minister of  
Foreign Relations, and PARTIDO COMUNISTA  
DE CUBA, an agency or instrumentality of the  
República de Cuba,

Defendants.

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**AFFIDAVIT OF OLIVIA SALUDES**

Olivia Saludes, being duly sworn, deposes and says:

1. I, Olivia Saludes, am a United States national and maintain my primary residence in Miami, Florida. I am in the process of becoming a citizen of the United States. I give this affidavit upon personal knowledge.

2. I am the mother of Omar Rodriguez Saludes ("Omar").

3. I was born on December 21, 1943 in La Havana, Cuba. Although I am originally a citizen of Cuba, I have filed an application for United States citizenship. I am a political refugee who came to the United States by airplane on June 28, 2000. Although I was never

imprisoned during the time I lived in Cuba, because of the dissident activities of myself, my brother Miguel Saludes, and my son Omar, I was frequently harassed and my actions closely monitored by the Castro regime.

4. Omar still resides in Cuba. He has been deprived of his freedom by the Castro regime. Omar reported for the *Nueva Prensa Agency*, which is one of approximately twenty-one small government independent agencies in Cuba. Omar authored numerous articles and was detained on a number of occasions because of his journalistic activities.

5. On or about April 2, 2003, Omar was arrested in his home and sequestered by police officials who took him into custody. No explanation was given or even a judicial pretext was offered for the arrest. Omar was not shown any documentation or specific charges. The length of the detention was not specified, nor was the place of incarceration identified.

6. Omar was subsequently tried on April, 2003, in a Cuban popular court. After this sham trial, and also on April 22, 2003, Omar was sentenced to 27 years in prison at Kilo 8 prison in Camaguey. At no point during the trial was Omar provided access to legal counsel as required by international law, including, but not limited to, Article 14(3)(d) of the International Covenant on Civil and Political Rights, Article 8(2)(d) and (e) of the American Convention on Human Rights, and Article 6(3)(c) of the European Convention on Human Rights.

7. Omar has been transferred to several other prisons around Cuba since being sentenced in April 2003. He currently is incarcerated at a maximum security prison in Toledo prison in La Havana. Omar has been tortured and mistreated throughout the period of his incarceration. Among other things he has been beaten, starved, given poor food, placed in solitary confinement, and deprived of medical treatment. Significantly, Omar suffers from a liver condition requiring special medical treatment. Cuba has failed to provide even the most

basic medical attention in response to Omar's medical status. Conditions at each of the prisons in which Omar has been incarcerated are deplorable. The prisoners are forced to live amidst rats and other scavengers such as swarms of mosquitoes and other insects.

8. Omar has been limited in the amounts of visits that he may receive from his wife, children and other relatives because, in part, their home is several hundred miles from the prison.

9. Although it is difficult for her, Omar's wife, Ileana Marrero, has been able to visit Omar on a few occasions since he was incarcerated. During these visits, which occur approximately once every three months, she has learned that her husband's medical condition has been aggravated and it has not been treated properly.

10. I first learned of Omar's arrest by telephone, through my brother, Miguel Saludes, a few days after it occurred. Although Omar had been previously harassed by the Castro regime, I was extremely surprised by his arrest and that of the other journalist. I was subsequently shocked to learn that he had been sentenced to 27 years in prison.

11. I have not been able to speak to Omar since his arrest. The Castro regime, through the Office of Cuban Interest in Washington, D.C., has repeatedly and unjustifiably negated my visa application to travel to Cuba for purposes of visiting my son. I have been told that the Cuban regime has engaged in this cruel and inhumane conduct to further punish Omar and me.

12. I have been deprived of access to my son, and of participation in the proceedings brought against him. Cuba has not provided me even the most rudimentary information about my son, and I have been forced to obtain whatever information I have from third-parties.

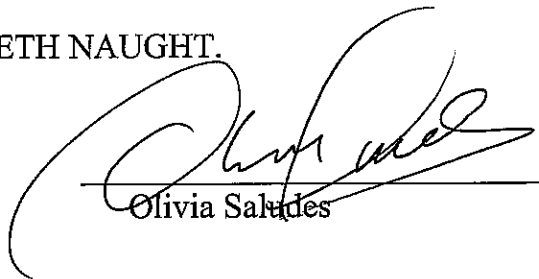
13. To date, I allow little more than that the government has arrested my son. The illegal actions that the Cuban regime has undertaken have caused me emotional pain and

suffering. This pain and suffering is that of a mother who knows that her son, without cause or provocation, has been arrested, incarcerated, physically and mentally tortured, and unassisted by a repressive and punitive military dictatorship that is unconstrained by international or national law.


14. The distress related to Omar's incarceration has also caused me physical pain and suffering. Since Omar's arrest, I have developed diabetes and a pulmonary condition. I was compelled to resign my job, and not been able to work since then. I have lost my Medicare benefits. Finally, I have been compelled to live from my family's assistance.

15. I have owed permanent allegiance to the United States of America since 2000. I submitted an application for citizenship as soon the statutory period required to becoming a United States national was fulfilled. A copy of the submission of my application for citizenship is here attached as Exhibit "A".

FURTHER AFFIANT SAYETH NAUGHT.

  
Olivia Saludes

The foregoing instrument was acknowledged before me this 19 day of October, 2007, by Olivia Saludes, who is personally known to me or has produced \_\_\_\_\_ as identification

  
Notary Public, State of Florida  
\_\_\_\_\_(Print Name)  
\_\_\_\_\_(Notary Number, if any)

My Commission Expires: \_\_\_\_\_ (SEAL)



Paula Oates  
My Commission DD285747  
Expires January 28, 2008

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OLIVIA SALUDES

73 TAMAMI CANAL Rd

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PS Form 3842

EXHIBIT

"A"

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>NEBRASKA SERVICE CENTER</p> <p>PO BOX 87426</p> <p>LINCOLN NE 68501-7426</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent</p> <p><i>[Signature]</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>F. Gerard Heinauer 06/28/07</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p>IF YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7007 0220 0002 5547 5954</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>11, February 2004</p>		<p>Domestic Return Receipt</p> <p>102596-02-M-1540</p>	